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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/774,074	01/31/2001	Jian Fan	10006308	1799

7590 07/10/2006

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EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
	2625

DATE MAILED: 07/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/774,074	FAN, JIAN	
	Examiner Stephen M. Brinich	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 April 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-16 is/are allowed.
- 6) Claim(s) 17-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fall et al in view of Lermant et al.

Re claim 17, Fall et al teaches dividing the document into regions (column 10, lines 30-32), specifying a text layer for text in a plurality of the regions (column 7, lines 12-16), specifying a non-text layer for the plurality of the regions (column 7, lines 16-26), and identifying information for the text in the text layers (column 14, lines 37-53; the method/apparatus receives input object and identifies its description data, including color). Fall et al further discloses dividing the document into regions (column 10, lines 30-32), specifying a text layer for text in a plurality of the regions (column 7, lines 12-16), specifying a non-text layer for the plurality of the regions (column 7, lines 16-26), compressing

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the text layers using a first compression technique and compressing the non-text layers using a second compression technique (column 9, lines 14-20; each object data type (text and non-text) is compressed with an appropriate technique as determined by the selector 403), and storing the layers of each of the regions in a portable document format (column 6, lines 10-43 & column 13, lines 1-7).

Re claim 18, Fall et al further discloses using a lossless compression method for the first compression technique and a lossy compression for the second compression technique (column 2, lines 32-40; the embodiment of the disclosure uses these known techniques of compression for specific object types to fix the problems associated with compression methods of the disclosed prior art, lines 25-30).

Re claims 17-20, Fall et al does not disclose the specifying of information pertaining to the color of text and background in a given region.

Lermant et al (column 5, line 57 - column 6, line 2) discloses the assignment of a color and background color to a text object (which inherently includes the setting of all text in that object as the same color).

Fall et al and Lermant et al are combinable because they are from the field of text-object document processing.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a text color property to the text layers of Fall et al. The suggestion/motivation for doing so would have been to enable a user to specify a desired color for text to be placed in a document.

Therefore, it would have been obvious to combine Fall et al with Lermant et al to obtain the invention as specified in claims 17-20.

Allowable Subject Matter

3. Claims 1-16 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

Re claim (and dependent claims 2-8), as noted by Applicant (4/25/06 Remarks: page 2, lines 22-31), the recited "regions" are based on the colors of bodies of text (as per the current amended claim language), and are thus distinguished from the "merely non-overlapping rectangular areas" having "no relation to underlying objects" of the Fall reference.

Applicant does not specifically address claim 9 (and dependent claims 10-16); the same argument (as per the similar amended claim language) applies in this case.

Response to Arguments

5. Applicant's arguments in the Response filed 4/25/06 with respect to claims 1-16 have been fully considered and are persuasive. The rejection of claims 1-16 has been withdrawn.

Re claims 1 & 9 (and dependent claims 2-8 & 10-16), as noted above, Applicant's arguments (4/25/06 Remarks: page 2, lines 22-31) note that the recited "regions" are based on the colors of bodies of text (as per the current amended claim language), and are thus distinguished from the "merely non-overlapping rectangular areas" having "no relation to underlying objects" of the Fall reference.

6. Applicant's arguments filed 4/25/06 with respect to claims 17-20 have been fully considered but they are not persuasive.

Re claim 17 (from which claims 18-20 depend), Applicant argues (4/25/06 Remarks: page 2, lines 22-31) that the recited "regions" are based on the colors of bodies of text, and are thus distinguished from the "merely non-overlapping rectangular areas" having "no relation to underlying objects" of the Fall reference.

However, the language of claim 17 does not appear to clearly describe the recited regions in such a way as to require that they are based on the colors of bodies of text.

Conclusion

7. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

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Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Stephen M Brinich
Examiner
Technology Division 2625

smb *SMB*
July 3, 2006



THOMAS D. LEE
PRIMARY EXAMINER